8.0 CONCLUSION: FINDING OF NO SIGNIFICANT IMPACT

NOAA Administrative Order (NAO) 216-6 (revised 6/20/1999) provides eleven criteria for determining the significance of the impacts of a proposed action. These criteria are discussed below as they relate to the proposed project.

8.1 Impacts may be both beneficial and adverse-a significant effect may exist even if the Federal agency believes on balance the effect will be beneficial.

A need has been established for a new *Bay Education Center* as the facility would provide a mechanism for educating the general public about the importance of coastal ecosystems and provide office space for the City of Rockport within an area that is currently zoned for public buildings. Construction impacts will be restricted to a small and previously modified area.

8.2 What is the proposed degree to which public health or safety is affected by the proposed action?

There are no negative impacts in regards to health and safety associated with the construction of a new building at the site.

8.3 Are there unique characteristics of the geographic area in which the proposed action is to take place?

The proposed project is located in downtown Rockport, in a developed area. The geographic setting is unique and provides an ideal location for a *Bay Education Center*. The proposed project would not, however, threaten or impact the qualities and characteristics that make the geographic region unique.

8.4 What is the degree to which effects on the human environment are likely to be highly controversial?

No highly controversial effects are expected from the construction as the proposed project will be in the immediate vicinity of the existing Rockport Harbor.

8.5 What is the degree to which effects are highly uncertain or involve unique or unknown risks?

No uncertain, unique or unknown risks are associated with the proposed project.

8.6 What is the degree to which the action establishes a precedent for future actions with significant effects or represents a decision in principle about a future consideration?

The possibility does exist that additional improvements to the facilities will be proposed in order to accommodate future growth or needs.

8.7 Does the proposed action have individually insignificant but cumulatively significant impacts?

No cumulatively significant impacts would result from the proposed project. Only minor temporary and insignificant impacts will result from construction of the proposed project, and the project is consistent with the needs of the facility.

8.8 What is the degree to which the action adversely affects entities listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historic resources?

No properties listed in or eligible for listing in the National Register of Historic Places will be affected by the proposed project or its construction.

8.9 What is the degree to which endangered or threatened species, or their critical habitat as defined under the Endangered Species Act of 1973, are adversely affected.

No endangered or threatened species have been identified in the immediate impact area. Educational materials for the brown pelican and black skimmer will be provided to construction personnel. The materials will instruct all personnel to avoid all nearby birds during Project construction.

8.10 Is a violation of Federal, state, or local law for environmental protection threatened?

No environmental laws and/or regulations will be violated by the proposed project.

8.11 Will the proposed action result in the introduction or spread of a non-indigenous species?

No non-indigenous species will be introduced or spread through implementation of the proposed project. There are some non-indigenous species already located within the vicinity of the proposed project; some of which will be removed at the footprint of the construction site when the foundations are laid.

Finding of No Significant Impact

This EA conforms to the procedural and technical requirements set forth in NOAA Administrative Order 216-6, Environmental Review Procedures for Implementing the National Environmental Policy Act, and NEPA. This EA examines the potential to construct a new NERR Headquarters Building, with all construction activities taking place within the current perimeter of The University of Texas at Austin Marine Science Institute. This action is the preferred alternative of The University of Texas at Austin.

Based upon the analyses contained within this EA, no significant adverse environmental impacts to the human environment will be associated with this action and hence warrant this finding of No Significant Impact (Section 5.03c of NOAA Administrative Order 216-6). Preparation of an environmental impact statement (EIS) for this financial award is not required by Section 102(2) (c) of the National Environmental Policy Act (NEPA) or it implementing regulations.

Assistant Administrator for Ocean Services and Coastal Zone Management, NOAA